

REMARKS

The only issues outstanding in the Office Action mailed June 4, 2008, are the rejections under 35 U.S.C. 112 and 102. Reconsideration of these issues, in view of the following discussion, is respectfully requested. The Examiner is thanked for noting that claims 2, 7-9 and 11-12 are allowable. It is respectfully submitted that, in view of the following discussion, all claims are in condition for allowance. Entry of the foregoing amendments is further respectfully requested, inasmuch as they are responsive to the newly made rejection, over a reference cited for the first time in the Final Rejection. Thus, the amendments could not have been presented earlier.

Rejection Under 35 U.S.C. 112

Claims 13-20 have been rejected under 35 U.S.C. 112, second paragraph. It is argued that, in claim 13, the first proviso is unnecessary. After review, Applicants concur and the first proviso has been deleted. Withdrawal of this rejection is respectfully requested.

Rejection Under 35 U.S.C. 102

Claims 1 and 3-6 have been rejected under 35 U.S.C. 102(b) over Woudenberg '710. Reconsideration of this rejection is respectfully requested.

It is argued, at page 2 of the Office Action, that Woudenberg discloses, at column 10 (presumably the second compound at line 20 of column 10) a compound which anticipates that of the present claim 1, formula V, in which n is 0, R is methyl, E¹ and E² are both hydrogen, and X^{1a}, X^{1b}, X² and X³ are all hydrogen, and B is subformula (i). In fact, it is believed that the Office Action meant to refer to a substructure (c) for B, inasmuch as it is in substructure (c) in which the double bond of ring B would be on the "inside" of the "bow" formed by the fused rings. In fact, the proviso in claim 1 reciting that ring B is not formula (c) where X¹, X² and X³ are simultaneously hydrogen, results in the present claims not reading on the disclosure of Woudenberg. Accordingly, withdrawal of this rejection is respectfully requested.

In conclusion, it is submitted that all claims are in condition for allowance, and passage to

issue is respectfully requested. However, if the Examiner has any questions or comments, he is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Harry B. Shubin/

Harry B. Shubin, Reg. No. 32,004
Attorney/Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

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